IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

WP(C).No. 33305 of 2007(M)

AGAINST THE ORDER DATED 24/10/2007 IN IA.3449/2007 IN OS.769/2003 of MUNSIFF COURT,CHAVAKKAD
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PETITIONER:

AMEENA, W/O. KUNHI HAMSA,
THATTANTE KAYIL HOUSE, CHAVAKKAD AMSOM,
PALUVAI DESOM, CHAVAKKAD P.O., THRISSUR DISTRICT.

BY ADV. SRI.K.RAMACHANDRAN
SMT.R.MEERA

RESPONDENT:

SAKKEENA, W/O. KUNHI MUHAMMED,
KONGANAM VEETTIL, PALUVAI DESOM, CHAVAKKAD AMSOM AND TALUK, CHAVAKKAD P.O., THRISSUR DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 33305 OF 2007

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Dated this the 13th day of November, 2007.

J U D G M E N T

This writ petition is preferred to direct the Munsff, Chavakkad to allow Ext.P1. Heard the learned counsel for the writ petitioner. A perusal of the order would reveal that the suit was included in the special list for trial on 10.10.07. There were applications for impleadment and amendment. There was also an application for amendment of the written statement. The prayer in Ext.P1 was only to advance the hearing date from 21.3.08 to a nearer date so that the steps can be completed and the matter can be further proceeded with for trial.

2. The suit is of the year 2003. It was included in the list as well. Applications were filed which resulted in removal of the case from the list. When an advance application is filed I feel under the present circumstances of the case, the Court should have advanced the hearing date and dispose of the interim applications pending before it so

that further delay in disposal of the suit could have been averted. Therefore, I direct the learned Munsiff, Chavakkad to advance the hearing of the suit O.S.769/03, after giving notice to both the sides fix a date for hearing of the interim applications and dispose of them in accordance with law and thereafter include the matter in the list and dispose of the case. Though I am not fixing a time frame the Court shall bestow its attention for an expeditious disposal of the matter.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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